

REMARKSStatus of the Claims

Claims 1-6, 8-23, 25-33 and 56-116 were pending in this application and have been examined.

Claims 1-6, 8-11, 16-23, 25-28, 33, 56-66, 71-83 and 88 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,166,730 ("Goode"). Claims 12, 13, 29, 30, 67, 68, 84 and 85 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Goode in view of U.S. Patent 6,816,904 ("Ludwig"). Claims 14, 31, 69 and 86 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Goode in view of U.S. Patent Application Publication No. 2002/0069218 ("Sull"). Claims 15, 32, 70 and 87 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Goode in view of U.S. Patent 5,610,653 ("Abecassis"). Claims 89-99, 101-114 and 116 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Goode in view of Ludwig and in further view of Sull. Claims 100 and 115 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Goode in view of Ludwig, in further view of Sull, and in further view of Abecassis.

Applicants traverse these rejections.

Claims 1-6, 8-23, 25-33 and 56

Independent claims 1 and 18 were rejected under 35 U.S.C. § 102(e) as being anticipated by Goode.

Independent claims 1 and 18 are directed to an interactive media-on-demand system in which a remote media-on-demand server is configured to deliver media-on-demand programming to each of a plurality of user equipment. The server is also configured to freeze delivery of a media-on-demand program when receiving a request to freeze delivery from a first one of the plurality of user equipment. Further, the server is configured to record the media-on-demand program when the request to freeze delivery is received from the first user equipment.

Goode does not disclose all of the features of independent claims 1 and 18. In particular, in reference to applicants' feature of recording the media-on-demand program when the request to freeze delivery is received from the first user equipment, the Office Action contends that Goode discloses "when the first user selects a stop or pause on the remote control the program is recorded or stored in the video server and may be accessed through the menu selection 'Active Programs/Saved Movies' that lists previously stored movies." (Office Action at page 3.)

However, Goode's own specification makes clear that these "previously stored movies" are not a recording of the streamed program. Instead, Goode states that when a

user selects the stop or pause command, only the "view time and position in movie" are stored in memory, thereby indicating that the stopped movie is an "open session." (Goode at column 15, line 43 to column 16, line 26 and FIG. 8.) Thus, the "Active Programs/Saved Movies" menu cited in the Office Action is merely "a list of movie information stream titles previously selected by the user that are . . . associated with respective open sessions." (Id. at column 17, lines 55-61.) This is further emphasized by Goode at column 19, lines 13-15, in which it is stated that the system "stores the current position, i.e., a bookmark, in its memory for open sessions and sends the bookmark position . . . to store in the database." (Id. at column 19, lines 13-15; emphasis added.)

Thus, at most, Goode only refers to storage of a bookmark/position, i.e., information about the stopped program, but Goode does not disclose storing or recording of the program itself. Thus, Goode does not disclose applicants' feature of "recording of the media-on-demand program" upon receiving a request to freeze delivery from a first user equipment.

Therefore, because Goode does not disclose at least this feature of claims 1 and 18, applicants submit that claims 1 and 18 have novelty over Goode. Likewise, claims 2-6, 8-11, 16, 17, 19-23, 25-28, 33 and 56, all of which depend from claims 1 or 18, also have novelty over Goode for at least the same reasons that claims 1 and 18 are novel. Thus, applicants request reconsideration and

withdrawal of the rejections of these claims under 35 U.S.C. § 102.

Moreover, because the rejections of dependent claims 12-15 and 29-32 under 35 U.S.C. § 103(a) are predicated on the rejection of parent claims 1 and 18 over Goode, applicants submit that the rejections of claims 12-15 and 29-32 should also be withdrawn for at least this reason.

Dependent Claims 3 and 20

In addition to the reasons presented above, applicants submit that Goode does not disclose certain other features of dependent claims 3 and 20.

Claims 3 and 20 also include a feature in which at least the first one of the user equipment is configured to provide a relocate option to the user. This relocate option, when selected by the user, allows the user to "freeze media-on-demand content being presented on one user equipment and switch to some other user equipment to resume the presentation of the media-on-demand content." (Specification at page 21, lines 19-23.) An example of this relocate option is depicted in FIG. 7A, and described at page 21, line 18 to page 22, line 14 of the specification.

In reference to this feature of applicants' claims, the Office Action contends that Goode discloses that "the user has the option of relocating to another set top box and freezing or stopping the delivery of the media-on-demand program while relocating from one set top box to another or second set top box." (Office Action at page 3.)

Applicants submit that this supposed disclosure of Goode is not the same as applicants' feature. Goode merely refers to the user's ability to relocate. However, in applicants' claims, the user is actually provided with a relocate option that the user is able to select. An example of such an option is depicted in FIG. 7A of applicants' specification.

In contrast, while a user in Goode may physically relocate between set top boxes, Goode does not disclose that such a user is provided with a selectable option for doing so. Instead, Goode only refers to the user being able to "select stop on a remote control," which is a "request that the video stream stop streaming." (*Id.* at column 19, line 7-10.) However, this "stop" option is more limited than applicants' relocate option, as Goode does not disclose that this "stop" option refers to switching to some other user equipment or to resuming the presentation of the content.

Therefore, because Goode also does not disclose the relocate option of claims 3 and 20, applicants submit

that this is an additional reason that claims 3 and 20 are patentable over Goode.

Dependent Claims 14 and 31

The Office Action contends that claims 14 and 31 are unpatentable under 35 U.S.C. § 103(a) over Goode in view of Sull. As discussed above, parent claims 1 and 18 are patentable over Goode. Because the rejection of claims 14 and 31 is predicated on this rejection of parent claims 1 and 18 over Goode, the rejection of claims 14 and 31 should also be withdrawn.

Claims 14 and 31 also include a feature in which the remote media-on-demand server and the plurality of user equipment provide the user with a logout option to allow the user to log out of the system. Further, the first one of the user equipment, in response to the logout option being selected, is configured to provide the user with the opportunity to request to freeze delivery of the media-on-demand program. Applicants submit that Goode and Sull, either alone or in combination, does not disclose at least these additional features of dependent claims 14 and 31.

As stated in the Office Action, Goode fails to disclose (a) providing the user with an opportunity to log out of the system from the first user equipment, (b) providing the user with a logout option and (c) providing the user with an opportunity to request to

freeze delivery in response to the logout option being selected. (Office Action at pages 5 and 6.) However, the Office Action contends that Sull discloses these features, stating that "Sull teaches a video-on-demand system where a subscriber can stop or freeze delivery in response to a log out option being selected." (Office Action at page 6.) Applicants disagree.

However, applicants submit that Sull fails to disclose that the user is provided with an opportunity to request to freeze delivery in response to the logout option being selected. At most, Sull refers to "a user who may be forced to stop watching [a] video and log out due to system shutdown." (Sull at page 2, paragraph 0013; emphasis added.)

Thus, because Sull does not disclose these features of claims 14 and 31, applicants submit that even the purported combination of Goode and Sull does not render these claims unpatentable. Therefore, for at least these additional reasons, applicants submit that claims 14 and 31 are patentable over Goode and Sull.

Claims 57-88

Claims 57-66, 71-83 and 88 were rejected under 35 U.S.C. § 102(e) as being anticipated by Goode. Claims 67, 68, 84 and 85 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Goode in view of Ludwig. Claims 69

and 86 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Goode in view of Sull. Claims 70 and 87 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Goode in view of Abecassis. Applicants traverse these rejections.

Independent claims 57 and 73 are directed to an interactive media-on-demand system in which a remote media-on-demand server is configured to deliver media-on-demand programming to each of a plurality of user equipment. The server is also configured to freeze delivery of a media-on-demand program when receiving a request to freeze delivery from a first one of the plurality of user equipment. Further, at least the first one of the user equipment is configured to provide a relocate option to the user, a feature also in claims 3 and 20.

The Office Action contends that Goode discloses all of the features of independent claims 57 and 73. Applicants disagree. For at least the reasons discussed above with respect to the corresponding features in claims 3 and 20, applicants submit that Goode does not disclose a relocate option in the manner of applicants' invention.

Therefore, because Goode does not disclose at least this feature of claims 57 and 73, applicants submit that claims 57 and 73 have novelty over Goode. Likewise, claims 58-66, 71, 72, 74-83 and 88, all of which depend from parent claims 57 or 73, also have novelty over Goode for at least the same reasons that claims 57 and 73 are

novel. Thus, applicants request reconsideration and withdrawal of the rejections of these claims under 35 U.S.C. § 102.

Moreover, because the rejections of dependent claims 67-70 and 84-87 under 35 U.S.C. § 103(a) are predicated on the rejection of parent claims 57 and 73 over Goode, applicants submit that the rejections of claims 67-70 and 84-87 should also be withdrawn for at least this reason.

Dependent Claims 62 and 78

In addition to the reasons presented above, applicants submit that dependent claims 62 and 78 are patentable for at least the following additional reasons.

Like claims 1 and 18, dependent claims 62 and 78 also include the feature in which the server is configured to record the media-on-demand program when the request to freeze delivery is received from the first user equipment.

For at least the reasons discussed above with respect to the corresponding features in claims 1 and 18, applicants submit that Goode does not disclose this feature of applicants' invention.

Therefore, because Goode also does not disclose this feature of claims 62 and 78, applicants submit that

this is an additional reason that claims 62 and 78 are patentable over Goode.

Dependent Claims 69 and 86

The Office Action contends that claims 69 and 86 are allegedly unpatentable under 35 U.S.C. § 103(a) over Goode in view of Sull. As discussed above, parent claims 57 and 73 are patentable over Goode. Because the rejection of claims 69 and 86 is predicated on a lack of novelty of parent claims 57 and 73 over Goode, the rejection of these claims is improper and thus should be withdrawn. In addition to this reason, applicants submit that dependent claims 69 and 86 are patentable over Goode and Sull for at least the following additional reasons.

Like claims 14 and 31, claims 69 and 86 also include a feature in which the remote media-on-demand server and the plurality of user equipment provide the user with a logout option to allow the user to log out of the system. Further, the first one of the user equipment, in response to the logout option being selected, is configured to provide the user with the opportunity to request to freeze delivery of the media-on-demand program.

For at least the reasons discussed above with respect to corresponding features in claims 14 and 31, applicants submit that these features are not disclosed or suggested by Goode or Sull, either alone or in combination.

Therefore, for at least these additional reasons, applicants submit that this is an additional reason that claims 69 and 86 are patentable over Goode and Sull.

Claims 89-116

Claims 89-99, 101-114 and 116 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Goode in view of Ludwig, and in further view of Sull. Claims 100 and 115 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Goode in view of Ludwig, in further view of Sull, and in further view of Abecassis. Applicants traverse these rejections.

Independent claims 89 and 103 are directed to an interactive media-on-demand system in which a remote media-on-demand server is configured to deliver media-on-demand programming to each of a plurality of user equipment. The server is also configured to freeze delivery of a media-on-demand program when receiving a request to freeze delivery from a first one of the plurality of user equipment. Further, like claims 14, 31, 69 and 86, claims 89 and 103 also include a feature in which the remote media-on-demand server and the plurality of user equipment provide the user with a logout option to allow the user to log out of the system. Further, the first one of the user equipment, in response to the logout option being selected, is configured

to provide the user with the opportunity to request to freeze delivery of the media-on-demand program.

For at least the reasons discussed above with respect to the corresponding features in claims 14, 31, 69 and 86, applicants submits that claims 89 and 103 are likewise patentable over Goode, Ludwig and Sull, either alone or in the purported combination. Claims 90-99, 101, 102, 104-114 and 116, which depend from claims 89 and 103, are patentable for at least the same reasons.

Moreover, because the rejections of dependent claims 100 and 115 under 35 U.S.C. § 103(a) are predicated on the rejection of parent claims 89 and 103 over Goode, Ludwig and Sull, applicants submit that claims 100 and 115 are also patentable for at least the same reasons, and thus the rejections of these claims should also be withdrawn.

Dependent Claims 91 and 105

In addition to the reasons presented above with respect to parent claims 89 and 103, applicants submit that dependent claims 91 and 105 are patentable for at least the following additional reasons.

Like claims 3, 20, 57 and 73, claims 91 and 105 include a feature in which at least the first one of the user equipment is configured to provide a relocate option to the user.

For at least the reasons discussed above with respect to the corresponding features in claims 3, 20, 57 and 73, applicants submit that Goode, Ludwig and Sull, either alone or in any combination, does not disclose this feature of applicants' invention. Therefore, applicants submit that this is an additional reason that claims 91 and 105 are patentable.

Dependent Claims 95 and 109

In addition to the reasons presented above with respect to parent claims 89 and 103, applicants submit that dependent claims 95 and 109 are patentable for at least the following additional reasons.


Like claims 1, 18, 62 and 78, dependent claims 95 and 109 also include the feature in which the server is configured to record the media-on-demand program when the request to freeze delivery is received from the first user equipment.

For at least the reasons discussed above with respect to the corresponding features in claims 1, 18, 62 and 78, applicants submit that Goode, Ludwig and Sull, either alone or in any combination, does not disclose this feature of applicants' invention. Therefore, applicants submit that this is an additional reason that claims 62 and 78 have novelty over Goode, Ludwig and Sull.

CONCLUSION

The foregoing demonstrates that all of the pending claims are patentable and are in condition for allowance. Reconsideration and allowance of the application is respectfully requested.

Respectfully submitted,


Tae Bum Shin
Ltd. Reg. No. L0091
Agent for Applicants

ROPES & GRAY LLP
Customer No. 1473
1211 Avenue of the Americas
New York, New York 10036
Tel.: (650) 617-4000 (CA)
Fax : (212) 596-9090 (NY)